

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35666 of 2015

Arising Out of PS.Case No. -69 Year- 2015 Thana -SAHPUR District- PATNA

- =====
1. Chetan Rai Son of Late Sitabi Rai Resident of Mubarakpur, P.S. - Shahpur, District - Patna.
 2. Dharmendra Rai Son of Chetan Rai Resident of Mubarakpur, P.S. - Shahpur, District - Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ghanshyam Tiwary

For the Opposite Party/s : Mr. Ashok Kumar(App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

02/ 03-09-2015

Heard learned counsels for the petitioners

and the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341, 323, 324, 447, 448, 307, 379 and 504/34 of the Indian Penal Code.

It is alleged that the accused persons came variously armed, started abusing and on protest being made by the brother of the informant then he was being assaulted. It is specifically alleged that co-accused Ashok Kumar assaulted with iron rod on the forehead of the informant whereas co-accused Mantu Kumar assaulted to the nephew of the informant,

petitioner Dharmendra Kumar took away jewellery and co-accused Mantu Kumar took away Rs.10,000/- from box.

It is submitted by learned counsel for the petitioners that in the background of land dispute the accusation has been levelled. The specific accusation of assault is against co-accused Ashok Kumar and Mantu Kumar. Accusation against the petitioners is omnibus and general and there is a counter version of the occurrence also.

A statement has been made in paragraph 3 of the petition that the petitioners have no criminal antecedent.

Considering the aforesaid facts, let the above named petitioners be released on anticipatory bail provisionally for three months in the event of their arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Danapur, Patna in connection with Shahpur P.S. Case No. 69 of 2015, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

Let the learned court below examine the injury report being produced by the petitioners. If none of the

injuries have been found to be grievous then the provisional bail of the petitioners will be confirmed by the learned court below, but if the injuries have been found to be grievous then the petitioners will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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